

MINUTES
OF THE
ENVIRONMENTAL PROTECTION COMMISSION
MEETING

AUGUST 21, 2000

WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA

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MEETING MINUTES

CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Chairman Townsend at 10:00 a.m. on Monday, , 2000, in the Wallace State Office Building, Des Moines, Iowa.

MEMBERS PRESENT

James Braun
Randal Giannetto
Darrell Hanson
Rozanne King
Gary Priebe
Terrance Townsend, Chair
Rita Venner, Secretary

MEMBERS ABSENT

Kathryn Murphy, Vice-Chair
Lisa Davis-Cook

Kathryn Murphy called in, stated she would not be able to attend due to business conflict
Lisa Davis Cook called in, stated she would not be able to attend due to illness.
Randal Giannetto called in, stated that he would be here between 10:30 and 11:00.

ADOPTION OF AGENDA

Motion was made by Rita Venner to approve the agenda as presented. Seconded by Rozanne King. Motion carried unanimously.

APPROVED

APPROVAL OF MINUTES

Motion was made by Rozanne king to approve the minutes of July 17, 2000 meeting. Seconded by Gary Priebe. Motion carried unanimously.

APPROVED

DIRECTOR'S REPORT

Interim Director Lyle Asell reported that last year the Iowa Legislature appropriated a little over \$11,000,000 for water quality initiatives. There was a joint effort to implement those initiatives between the Department of Agriculture, Land Stewardship and the DNR. He stated that he felt this was a great step for the State of Iowa to support some of the water issues and that both departments thought it was

important to keep people informed about what is taking place with those funds and how it is moving ahead. To that end they created the booklet titled "The Iowa Water quality Initiative, Better Water for a Better Iowa". Mr. Asell distributed a copy to each of the Commissioners and informed the audience that there would be additional copies if they were interested. He stated that another point of interest was that there will be an International Carbon Conference in Des Moines on August 29 through 31, which would explore the benefits to farmers and society. He reported that to date there had been over 400 people registered for that conference including people as far away as Australia, five different Canadian Provinces, and 33 other states.

FINANCIAL STATUS REPORT - YTD DIVISION EXPENDITURES

Linda Hanson, Division Administrator, Administrative Services Division, presented the following item.

Attached is the Department's operations budget status report by division as of 7/18/00. This report contains actual expenditures for FY 00 through July 18, 2000. The balances shown are available to pay for additional claims that will be processed between July 18 and August 30, 2000

. Because we have until August 30, 2000 to pay for expenses accrued through June 30, 2000, we anticipate that most of the General Fund balances shown will be depleted by the end of the Fiscal Year. With the exception of Parks Division, we expect all divisions to complete the year within their respective General Fund appropriations. The Fish and Wildlife Division is within its appropriated budget.

Iowa Department Of Natural Resources

Financial Status Report

TOTAL DEPARTMENT THROUGH JULY 18, 2000	FY 00 BUDGET	FY 00 ACTUAL THRU JULY 18	00 BUDGET LESS ACTUAL 00
RESOURCES			
General Fund	\$17,068,223	\$17,012,788	\$55,435
Park Officer Retirements	\$200,000	\$147,468	\$52,532
Federal	\$13,086,089	\$10,569,760	\$2,516,329
Administration Fund	\$395,000	\$490,000	(\$95,000)
Conservation Fund	\$4,381,311	\$4,552,311	(\$171,000)
Other Funds	\$12,373,967	\$10,080,043	\$2,293,924
Groundwater Fund	\$3,376,941	\$3,157,843	\$219,098
Fish and Wildlife Trust Fund	\$24,236,883	\$23,947,035	\$289,848
TOTAL RESOURCES	\$75,118,414	\$69,957,248	\$5,161,166
EXPENDITURES			
Personnel	\$45,055,388	\$43,714,497	\$1,340,891
Extra Help	\$2,960,506	\$3,377,365	(\$416,859)
Support	\$14,797,701	\$14,345,184	\$452,517
Contracts	\$9,600,600	\$5,980,870	\$3,619,730
Equipment	\$2,704,219	\$2,539,332	\$164,887
TOTAL EXPENDITURES	\$75,118,414	\$69,957,248	\$5,161,166
ADMINISTRATIVE SERVICES THROUGH JULY 18, 2000	FY 00 BUDGET	FY 00 ACTUAL THRU JULY 18	00 BUDGET LESS ACTUAL 00
RESOURCES			
General Fund	\$1,545,041	\$1,482,889	\$62,152
Federal	\$623,694	\$588,549	\$35,145
Fish and Wildlife	\$2,007,449	\$1,962,778	\$44,671
Groundwater Fund	\$184,453	\$195,216	(\$10,763)
REAP	\$749,357	\$534,303	\$215,054
Marine Fuel Tax	\$85,592	\$240,370	(\$154,778)
Infrastructure	\$223,594	\$195,953	\$27,641
Other	\$433,012	\$469,399	(\$36,387)
TOTAL RESOURCES	\$5,852,192	\$5,669,457	\$182,735
EXPENDITURES			
Personnel	\$4,269,262	\$4,155,261	\$114,001
Extra Help	\$120,100	\$130,905	(\$10,805)
Support	\$1,225,930	\$1,148,631	\$77,299
Contracts	\$25,000	\$45,284	(\$20,284)

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Equipment	\$211,900	\$189,376	\$22,524
TOTAL EXPENDITURES	\$5,852,192	\$5,669,457	\$182,735
DIRECTOR'S OFFICE THROUGH JULY 18, 2000	FY 00 BUDGET	FY 00 ACTUAL THRU JULY 18	00 BUDGET LESS ACTUAL 00
RESOURCES			
General Fund	\$595,417	\$578,004	\$17,413
Federal	\$491,856	\$498,568	(\$6,712)
Fish and Wildlife	\$367,460	\$412,132	(\$44,672)
Administration Fund	\$395,000	\$490,000	(\$95,000)
Groundwater Fund	\$95,208	\$114,367	(\$19,159)
Other	\$204,236	\$230,269	(\$26,033)
TOTAL RESOURCES	\$2,149,177	\$2,323,340	(\$174,163)
EXPENDITURES			
Personnel	\$1,229,252	\$1,265,863	(\$36,611)
Extra Help	\$68,245	\$109,693	(\$41,448)
Support	\$805,680	\$903,632	(\$97,952)
Contracts	\$0	\$0	\$0
Equipment	\$46,000	\$44,152	\$1,848
TOTAL EXPENDITURES	\$2,149,177	\$2,323,340	(\$174,163)
ENERGY AND GEOLOGY THROUGH JULY 18, 2000	FY 00 BUDGET	FY 00 ACTUAL THRU JULY 18	00 BUDGET LESS ACTUAL 00
RESOURCES			
General Fund	\$1,938,550	\$1,878,598	\$59,952
Federal	\$2,788,646	\$1,533,862	\$1,254,784
Oil Overcharge	\$297,121	\$205,202	\$91,919
Bonding Programs	\$141,982	\$129,922	\$12,060
Groundwater Fund	\$199,582	\$204,320	(\$4,738)
Other	\$105,093	\$96,099	\$8,994
TOTAL RESOURCES	\$5,470,974	\$4,048,003	\$1,422,971
EXPENDITURES			
Personnel	\$3,114,454	\$2,852,307	\$262,147
Extra Help	\$37,000	\$33,682	\$3,318
Support	\$467,653	\$379,709	\$87,944
Contracts	\$1,718,450	\$668,211	\$1,050,239
Equipment	\$133,417	\$114,094	\$19,323
TOTAL EXPENDITURES	\$5,470,974	\$4,048,003	\$1,422,971
ENVIRONMENTAL PROTECTION THROUGH JULY 18, 2000	FY 00 BUDGET	FY 00 ACTUAL THRU JULY 18	00 BUDGET LESS ACTUAL 00
RESOURCES			
General Fund	\$4,989,784	\$4,962,410	\$27,374
Federal	\$8,512,544	\$7,254,210	\$1,258,334
Air Contaminant Fees	\$6,405,219	\$4,909,419	\$1,495,800
Groundwater Fund	\$1,321,974	\$1,241,102	\$80,872
Hazardous Waste Remedial Fund	\$311,296	\$305,011	\$6,285
Water Protection Fund	\$1,197,382	\$856,231	\$341,151
Operator Certification Fees	\$80,997	\$46,670	\$34,327
LUST Insurance Fund	\$75,000	\$75,000	\$0
Land Recycling Fund	\$120,000	\$82,140	\$37,860
Manure Certification Program	\$50,000	\$76,508	(\$26,508)
Stormwater Permit Fees	\$492,265	\$304,142	\$188,123
Well Contractor Fees	\$69,207	\$91,515	(\$22,308)
Groundwater Professional Regis.	\$45,998	\$47,735	(\$1,737)
Water Supply Lab. Cert. Fees	\$156,060	\$117,045	\$39,015
Other	\$22,609	\$34,287	(\$11,678)
TOTAL RESOURCES	\$23,850,335	\$20,403,425	\$3,446,910
EXPENDITURES			
Personnel	\$13,181,343	\$12,612,632	\$568,711
Extra Help	\$0	\$0	\$0
Support	\$2,972,765	\$2,333,646	\$639,119
Contracts	\$6,709,395	\$4,544,265	\$2,165,130
Equipment	\$986,832	\$912,882	\$73,950
TOTAL EXPENDITURES	\$23,850,335	\$20,403,425	\$3,446,910
FISH AND WILDLIFE THROUGH JULY 18, 2000	FY 00 BUDGET	FY 00 ACTUAL THRU JULY 18	00 BUDGET LESS ACTUAL 00
RESOURCES			
Fish and Wildlife Trust Fund	\$21,861,974	\$21,572,125	\$289,849
Corps Condition 5 Funds	\$297,790	\$282,335	\$15,455
TOTAL RESOURCES	\$22,159,764	\$21,854,460	\$305,304
EXPENDITURES			
Personnel	\$14,889,445	\$14,764,478	\$124,967
Extra Help	\$880,633	\$932,427	(\$51,794)
Support	\$5,091,524	\$5,098,967	(\$7,443)
Contracts	\$461,667	\$259,427	\$202,240
Equipment	\$836,495	\$799,161	\$37,334

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TOTAL EXPENDITURES	\$22,159,764	\$21,854,460	\$305,304
FORESTRY THROUGH JULY 18, 2000	FY 00 BUDGET	FY 00 ACTUAL THRU JULY 18	00 BUDGET LESS ACTUAL 00
RESOURCES			
General Fund	\$1,742,027	\$1,740,780	\$1,247
Federal	\$460,000	\$546,647	(\$86,647)
Forestry Enhancement Fund	\$251,690	\$251,545	\$145
Forestry Receipts	\$932,000	\$967,000	(\$35,000)
Other	\$68,700	\$59,553	\$9,147
TOTAL RESOURCES	\$3,454,417	\$3,565,525	(\$111,108)
EXPENDITURES			
Personnel	\$2,319,987	\$2,215,180	\$104,807
Extra Help	\$130,351	\$214,519	(\$84,168)
Support	\$839,696	\$1,069,622	(\$229,926)
Contracts	\$46,000	\$2,904	\$43,096
Equipment	\$118,383	\$63,300	\$55,083
TOTAL EXPENDITURES	\$3,454,417	\$3,565,525	(\$111,108)
PARKS PRESERVES AND RECREATION THROUGH JULY 18, 2000	FY 00 BUDGET	FY 00 ACTUAL THRU JULY 18	00 BUDGET LESS ACTUAL 00
RESOURCES			
General Fund	\$6,257,404	\$6,370,107	(\$112,703)
Park Officer Retirement	\$200,000	\$147,468	\$52,532
Federal	\$50,000	\$67,705	(\$17,705)
Park Receipts	\$3,449,311	\$3,585,311	(\$136,000)
Infrastructure	\$69,191	\$72,348	(\$3,157)
Other	\$303,039	\$288,119	\$14,920
TOTAL RESOURCES	\$10,328,945	\$10,531,058	(\$202,113)
EXPENDITURES			
Personnel	\$5,162,471	\$5,046,982	\$115,489
Extra Help	\$1,579,202	\$1,817,095	(\$237,893)
Support	\$3,094,565	\$3,142,091	(\$47,526)
Contracts	\$131,265	\$123,716	\$7,549
Equipment	\$361,442	\$401,174	(\$39,732)
TOTAL EXPENDITURES	\$10,328,945	\$10,531,058	(\$202,113)
WASTE MANAGEMENT THROUGH JULY 18, 2000	FY 00 BUDGET	FY 00 ACTUAL THRU JULY 18	00 BUDGET LESS ACTUAL 00
RESOURCES			
Groundwater Fund	\$1,575,724	\$1,402,838	\$172,886
Federal	\$159,349	\$80,219	\$79,130
Waste Volume Reduction Fund	\$61,188	\$22,737	\$38,451
Waste Tire Program	\$56,349	\$56,186	\$163
TOTAL RESOURCES	\$1,852,610	\$1,561,980	\$290,630
EXPENDITURES			
Personnel	\$889,174	\$801,794	\$87,380
Extra Help	\$144,975	\$139,044	\$5,931
Support	\$348,388	\$301,149	\$47,239
Contracts	\$460,323	\$304,800	\$155,523
Equipment	\$9,750	\$15,193	(\$5,443)
TOTAL EXPENDITURES	\$1,852,610	\$1,561,980	\$290,630

Linda Hanson stated that the above table represents the condition of the budget as of July 18, 2000, and with only a few days left for submitting claims for the end of the fiscal year it appears that with a couple of intra-division transfers we will come in under budget. She informed the Commission that their major concern was with the Parks Division due to a number of expenses. She referred to the last paragraph in the item brief that stated they propose to mitigate a portion of the estimated Parks Division's shortfall by moving the annual Sewage Works Revolving Loan payment from Park's Operations to REAP Open Spaces. She stated that it had been a decision item for the Natural Resources Commission meeting, the transfer was approved and verified as appropriate by legal council so \$128,000 was moved from Park's Operations to the REAP Open Spaces account. She stated that she would present the final budget information to the Commission once it was complete. She stated that the Department would be asking the Commission's approval for the Budget Requests at the September meeting before presenting them to the Department of Management and the Governor on October 1, 2000. She added that the proposed legislative items will also be presented for their approval at the same meeting so if the Commission had any items relative to legislation to please let someone in the Department know as soon as possible.

INFORMATIONAL ONLY

SOLID WASTE ALTERNATIVES PROGRAM - RECOMMENDATIONS

Liz Christiansen, Division Administrator, Waste Management Assistance Division, presented the following item.

The Department received Fourteen (14) pre-proposals, requesting over \$830,000 in financial assistance, for consideration during the July 2000 round of funding. Nine (9) applicant projects were selected for further review. If approved they will receive \$497,511 in a combination of forgivable loans, zero interest loans, and 3% interest loans.

The review committee consisted of six persons representing the Waste Management Assistance Division (Tom Anderson, Leslie Leager, Ronna Mills), Iowa Society of Solid Waste Operations (Kjrsten Bobb), Iowa Recycling Association (Leslie Bullock-Goldsmith), and the Iowa Waste Exchange (Johanna Woelfel).

The table below summarizes recommendations by applicant and project type and by the type of award.

			Forgivable Loan Portion
Recommended By Applicant Type	# Awards	Award Amount	
Local Government	5	\$112,660	\$85,419
Private For Profit	2	\$279,000	\$45,000
Private Not For Profit	2	\$105,851	\$40,000
			Forgivable Loan Portion
Recommended By Project Type	# Awards	Award Amount	
Best Practices	4	\$367,092	\$100,000
Education	4	\$105,419	\$46,872
Market Development	1	\$25,000	\$100,160
Type of Award	# Awards	Award Amount	Forgivable Loan Portion
Forgivable loan only	5	\$130,419	\$130,419
Zero Interest loan only	2	\$27,241	\$0
Forgivable & Zero Interest Loan	1	\$85,851	\$20,000
Forgivable, Zero, 3% Interest loan	1	\$254,000	\$20,000

At this time, the Department is requesting Commission approval to enter into contracts with selected applicants whose awards will be in excess of \$25,000 subject to satisfactory review of business plans, negotiation of budget, match, deliverables, and other requested information.

A description of each recommended project, the project type, the amount and type of funding assistance is attached followed by a description of other proposals received.

SOLID WASTE ALTERNATIVES PROGRAM PROPOSAL RECOMMENDATIONS – JULY 2000
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The Department received Fourteen (14) pre-proposals, requesting over \$830,000 in financial assistance, for consideration during the July 2000 round of funding. Nine (9) applicant projects were selected for further review. If approved they will receive \$497,511 in a combination of forgivable loans, zero interest loans, and 3% interest loans.

The following provides a description of each project, the project type, and the amount and type of funding assistance. The descriptions are organized as projects above \$25,000, those under \$25,000, and proposals received but not selected.

PROPOSAL RECOMMENDATIONS: ABOVE \$25,000

BEST PRACTICES PROJECTS

Golden Hills RC & D 406 South Highway 6 P.O. Box 189 Oakland, IA 51560		Forgivable Loan: Zero Interest Loan: 3% Interest Loan Total Award Amount:	\$20,000 \$65,851 \$0 \$85,851
		Cash Match: In-Kind Match: Local Match:	 \$221,806 \$25,300 \$247,106
		Total Project cost:	\$332,957
Project Title:	Sustainable "Green" Building		
Contact:	Shirley Frederiksen 712-482-3029		
Project Type:	Best Practices		
Applicant:	Private Not For Profit		
Description:	The applicant proposes to construct an office building using renewable energy sources and recycled content products. Five agencies will be housed in the building serving a large and varied customer base. The project will increase citizen awareness and encourage market development of recycled content products by demonstrating sustainable design methods and materials as well as making the office available for regional meetings.		
Target Area	Pottawattamie, Cass, Mills, Montgomery, Fremont, Page, Harrison, and Shelby Counties		
Bill Miller Logging, Inc. 380 East 4th St. Dubuque, IA 52001		Forgivable Loan: Zero Interest Loan: 3% Interest Loan Total Award Amount:	\$20,000 \$150,000 \$84,000 \$254,000
		Cash Match: In-Kind Match: Local Match:	 \$165,000 \$370,000 \$535,000
		Total Project cost:	\$789,000
Project Title:	Portable Tub Grinder		
Contact:	Bill or Mary Miller 319-583-9441		
Project Type:	Best Practices		
Applicant:	Private For Profit		
Description:	The applicant proposes to purchase a mobile tub grinder to grind slab wood from construction sites; end pieces from saw mills, used pallets from businesses; and tree limbs from storm debris and general city maintenance. In the future, they will expand to grind C&D material including shingles. The applicant has 35 years experience in the wood industry and has a large customer base for which grinding services are performed.		
	Iowa, Wisconsin, and Illinois		
Target Area:			

EDUCATIONAL PROJECTS

University of Northern Iowa Grants and Contracts Office Cedar Falls, IA 50614-0702		Forgivable Loan: Zero Interest Loan: 3% Interest Loan Total Award Amount:	\$59,485 \$0 \$0 \$59,485
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	Cash Match:	\$106,123
	In-Kind Match:	<u>\$14,508</u>
	Local Match:	\$126,631
	Total Project Cost:	\$186,116
Project Title:	<i>If not you, who?</i> Waste Reduction Education Campaign	
Contact:	Susan Salterberg 319-498-4516 or 319-273-2573	
Project Type:	Education	
Applicant:	Local Government	
Description:	The applicant proposes to pilot a recycling message modeled from the successful Minnesota example to three areas in Iowa. They will use a combination of presentations, radio, newspaper articles, and mailing inserts. They will evaluate the population's knowledge through pre-campaign testing and evaluate their methods through a series of post-campaign surveys.	
	Waterloo/Cedar Falls, Cedar Rapids, and Van Buren County	
Target Area:		

PROPOSAL RECOMMENDATIONS: BELOW \$25,000**BEST PRACTICES PROJECTS**

Southeast Iowa Area Agency on Aging	Forgivable Loan:	\$0
509 Jefferson Street	Zero Interest Loan:	\$15,728
Burlington, IA 52601-5427	3% Interest Loan	<u>\$0</u>
	Total Award Amount:	\$15,728
	Cash Match:	\$25,299
	In-Kind Match:	<u>\$10,627</u>
	Local Match:	\$35,926
	Total Project cost:	\$51,654
Project Title:	Reusable Home Delivered Tray System	
Contact:	Pam Taylor 319-752-5433	
Project Type:	Best Practices	
Applicant:	Local Government	
Description:	The applicant proposes to purchase new dishwashers to assure the ongoing success of investments made and projected expansion in the Reusable Home Delivered Tray System. 1 ton of solid waste per year diversion is expected.	
	Des Moines, Henry, Lee, and Louisa Counties	
Target Area:		

City of Laurens	Forgivable Loan:	\$0
272 n 3rd	Zero Interest Loan:	\$11,513
P.O. Box 148	3% Interest Loan	<u>\$0</u>
Laurens, IA 50554	Total Award Amount:	\$11,513
	Cash Match:	\$3,837
	In-Kind Match:	<u>\$64,220</u>
	Local Match:	\$68,057
	Total Project cost:	\$79,570
Project Title:	Laurens Commercial Recycling	
Contact:	Quentin Mayberry 712-841-4526	
Project Type:	Best Practices	
Applicant:	Local Government	
Description:	The applicant proposes to begin a business and industry recycling program within the city of Laurens. The city will partner with the local waste hauler for transportation of the materials to the local recycling processor. They will collect approximately 430 tons of cardboard, white paper, and pallets in the first year of operation.	
Target Area:	City of Laurens	

EDUCATIONAL PROJECTS

The Thomas Jefferson School Playground Committee	Forgivable Loan:	\$20,000
102 Highview	Zero Interest Loan:	\$0
Newton, IA 50208	3% Interest Loan	<u>\$0</u>
	Total Award Amount:	\$20,000

		Cash Match:	\$14,760
		In-Kind Match:	<u>\$15,781</u>
		Local Match:	\$30,541
		Total Project cost:	\$50,541
Project Title:	Recycling Education Comes in Small Packages		
Contact:	Sherri Sciarrotta 515-792-9927		
Project Type:	Education		
Applicant:	Private Not For Profit		
Description:	The applicant proposes to construct a recycled content playground. The teachers at the adjacent school will develop recycling curricula and lesson plans (available statewide) and will use the playground as a teaching tool. Surveys will also be developed and used to further educate the public on the value of recycling.		
Target Area:	Jasper County		
Iowa State University, Linn County Extension	Forgivable Loan:		\$19,022
3279 7th Ave., Suite 140	Zero Interest Loan:		\$0
Marion, IA 52302	3% Interest Loan		<u>\$0</u>
		Total Award Amount:	\$19,022
		Cash Match:	\$17,972
		In-Kind Match:	<u>\$4,755</u>
		Local Match:	\$22,728
		Total Project cost:	\$41,750
Project Title:	Linn County Extension Master Gardener Composting Project		
Contact:	Linda Bigley 319-377-9839		
Project Type:	Education		
Applicant:	Local Government		
Description:	The applicant proposes to begin an educational training program focusing on home composting. The program will include demonstrations, train-the-trainer, media presentations, a compost hotline, and a component on youth education. Through publications, a spring expo, a speakers bureau, demonstrations, newsletters, radio, TV advertisement, and an internet web page they expect to reach over 20,000 individuals.		
Target Area:	Linn, Johnson, and Jones Counties		

Parks, Recreations and Preserves Division, IDNR	Forgivable Loan:	\$6,912
Wallace State Office Building	Zero Interest Loan:	\$0
502 East 9th Street	3% Interest Loan:	<u>\$0</u>
Des Moines, IA 50319-0034	Total Award Amount:	\$6,912
	Cash Match:	\$3,894
	In-Kind Match:	<u>\$3,500</u>
	Local Match:	\$7,394
	Total Project cost:	\$14,306
Project Title:	Elk Rock Play Systems	
Contact:	Angela Corio 515-281-4579	
Project Type:	Education	
Applicant:	Local Government	
Description:	The applicant will promote the use of recycled materials and educate users through the construction of a recycled content play system, benches, and a picnic table at Elk Rock State Park.	
Target Area:	Statewide	

MARKET DEVELOPMENT

Tellus Institute 11 Arlington St. Boston, MA 02116	Forgivable Loan:	\$25,000
	Zero Interest Loan:	\$0
	3% Interest Loan	\$0
	Total Award Amount:	\$25,000
	Cash Match:	\$5,000
	In-Kind Match:	\$20,000
	Local Match:	\$25,000
	Total Project cost:	\$50,000
Project Title:	Resource Management Contracting	
Contact:	Paul Ligon, 617-266-5400	
Project Type:	Market Development	
Applicant:	Private For Profit	
Description:	The applicant proposes to assist the West Des Moines School District in implementing resource management contracting instead of a traditional waste-hauling contract for the district. Resource Management encourages the contractor to divert waste from the landfill by paying them a portion of the money saved from reduction or diversion. A model contract will be produced along with a guidance document for statewide use.	
Target Area:	West Des Moines Schools	

PROPOSALS RECEIVED, NOT RECOMMENDED

Terril Plastics Molders Inc. 203 Main St. Terril, IA 51364	Total Award Amount:	\$265,680
	Project Title:	ICF For the Upper Midwest
	Project Type:	Market Development
	Applicant:	Private For Profit
	Description:	Using plastics in construction of concrete forms.

Central Disposal Systems 21265 430th Street Lake Mills, IA 50450-9511	Total Award Amount:	\$19,185
	Project Title:	Promotion of Door-to-Door HHW Collections Pilot Project
	Contact:	Terry Smith 515-592-9182
	Project Type:	Best Practices
	Applicant:	Private For Profit
	Description:	The applicant will begin a door-to-door collection of household hazardous wastes and limited quantities of agricultural chemicals.

City of Johnston, Public Works Department 6400 NW Beaver P.O. Box 410 Johnston, IA 50131	Total Award Amount:	\$22,200
	Project Title:	Leaf Vacuum Proposal
	Contact:	Donna Kluss 515-278-0822
	Project Type:	Best Practices
	Applicant:	Local Government
	Description:	The applicant proposes to purchase a leaf vacuum to provide an alternative to leaf burning.

Goodwill Industries of Southeast Iowa 1441 Blairs Ferry Rd NE Cedar Rapids, IA 52402	Total Award Amount:	\$15,000
	Project Title:	GISI / PMX Resource Reduction Program
	Contact:	Tom Cavanagh 319-393-3434
	Project Type:	Best Practices
	Applicant:	Private Not For Profit
	Description:	The applicant proposes to recycle polyethylene plastic material used as the inner-liner between each coil in the packaging of PMX's precision metal parts. Goodwill industries would provide the labor for the operation.

City of North Liberty 5 East Cherry Street P.O. Box 77 North Liberty, IA 52317-0077	Total Award Amount:	\$18,170
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Project Title:	North Liberty Yard Waste Alternatives Program
Contact:	Mary K. Mitchell 319-626-5700
Project Type:	Best Practices
Applicant:	Local Government
Description:	The applicant proposes to purchase equipment to assist in their city-wide leaf vacuuming efforts used as an alternative to burning leaves.
Target Area:	Johnson County

Liz explained the various projects that she was presenting to the Commission for approval.

Terrance Townsend asked about the Bill Miller Logging, Inc project, he wanted to know what portion of the customer base would be from Wisconsin and Illinois.

Leslie Leager, from Solid Waste Alternatives Program, stated the Department was assured by Bill Miller Logging, Inc. that the percentage of grinding done in Wisconsin and Illinois would not be more than 50%.

Discussion followed regarding the end uses of the ground wood.

Rozanne King asked whether Golden Hills RC & D project would be toured during construction or if there would be informative plaques telling what materials were used.

Liz Christiansen stated it could be done both ways. Leslie Leager added they would have tours of the site during construction and that there would be informative plaques put in for the public information.

Rozanne King asked when the project would be completed.

Liz Christiansen said completion of the project was scheduled for May 2001.

Gary Priebe asked if there was a database for best practice projects that we have done.

Liz stated we have a database for both successful and unsuccessful projects for people to learn from.

Motion was made by Rozanne King to approve the Solid Waste Alternatives Program – Recommendations. Seconded by Jim Braun. Motion carried unanimously.

APPROVED

WASTE TIRE MANAGEMENT FUND PROGRAMS: PROGRESS AND UPDATES

This brief is designed to provide the Commission with an update on the progress of work projects coordinated through the Waste Tire Stockpile Abatement Program.

Waste Tire Stockpile Abatement Program.

In 1996 The Iowa General Assembly passed comprehensive waste tire legislation (HF2433). The legislation established a waste tire management fund, with a total of \$15 million allocated to the Department over six fiscal years (1997-2002) to establish programs and activities to promote the proper management of waste tires, to develop markets for waste tires, and to clean up waste tire stockpiles that posed a threat to the environment, public health, and safety.

Since the fund's creation, perhaps its most visible aspect has been the Waste Tire Stockpile Abatement Program. Through this program the Department has issued contracts for the dismantling of nuisance waste tire stockpiles that pose hazards to the environment and public health. To date, the Department has coordinated cleanup efforts at 28 sites, resulting in the effective recovery of over 3.5 million waste tires.

A summary of recently completed projects, current work, and related stockpile issues is as follows:

Madison/Warren Stockpiles – Contract Completion

At its February meeting the Commission approved the award of a contract to Greenman Technologies, Savage, Minnesota, for the cleanup of six (6) stockpile locations in Madison and Warren Counties. UT Tire Recyclers, Des Moines, Iowa, provided tire recycling services as a sub-contractor for a portion of this project.

As of June 30, 2000, the contract was completed, with the following notes:

- The sites presented extremely difficult site access conditions, as all tires were stored in tree-lined ravines, with off-road access only; yet the sites were cleaned up on schedule, without delay.
- Initial reports from site owners and field inspectors indicated a total of 140,000 waste tires at all sites. Over 267,000 tires were actually removed. Estimating tire amounts piled and scattered in ravines of varying depths is a challenge.
- Site owners were also involved in these projects: cleaning up other solid waste present at the sites (e.g. – auto hulks, white goods, scrap metal, construction/demolition waste), as well as restoring ground cover and erosion control after the cleanup.
- Two site owners have worked with their local NRCS office to improve watershed management on their properties by constructing dams and ponds for erosion control (these are in the same areas where the removed tires were once used for “erosion control”)

Ervin Stockpile Abatement – Project Update

The largest abatement project to date is currently underway at the Don Ervin stockpile site, located just south of Fort Dodge, near U.S. Hwy. 20. It is estimated that over 2 million waste tires are contained at this site. Greenman Technologies of Minnesota began abatement operations at this site in July of 1999.

Progress on Clean Up:

- 1.5 million waste tires already recovered from the site (15,000 equivalent tons)
- Project work is ahead of schedule, and is estimated to be completed by the end of this year (contract is effective through June 30, 2001)
- abatement operations are conducted Monday-Friday, year round

- Tires are hauled back to Greenman's plant in southern Minnesota and shredded for tire-derived fuel (TDF)
- Greenman then markets TDF to Holnam Cement, Mason City, and to power plants in Wisconsin and South Dakota

Tire Business on the Site to move:

- Mr. John Pede, a local businessman, has operated an off-the-road (OTR) used tire sales business in a leased building at the site for the last two years
- He has approximately 400 of these OTR tires stored outside at the site.
- The site owner, Mrs. Judy Mallenger of, Liberty Mills, Texas, has agreed in writing to discontinue any further storage, handling, or processing of waste tires so long as she owns the property
- Mr. Pede is currently moving the operation to a site in Webster City, and has submitted a letter to the Department stating he will have his entire inventory off of the site by November 1, 2000.

Planned Projects for FY01

The Department plans to coordinate a number of cleanup efforts in fiscal year 2001, as follows:

- Frieland Estate, Marshall County – Over 1 million tires discarded in large ravines at a farm, 20-30 years ago.
- "Regional Contracts" will be issued to clean up numerous smaller stockpiles under contracts for specified areas of the state (i.e. – NE Iowa, NW Iowa, SW Iowa, SE Iowa)

Tire Chop (Donald Grell) Stockpile Issue Update:

Over 2 million waste tires are improperly stored at a site owned by Mr. Donald Grell. Originally operating under a permit issued in November of 1994, Tire Chop accumulated tire quantities well beyond the permit limitations. Violations were noted between 1995-1997, and in 1998 the Commission referred the situation to the Attorney General's office. Actions taken since that time are as follows:

- ◆ The AG prosecuted Grell for improper storage of more than two million tires. A temporary injunction was obtained from the Webster County District Court in October 1998 prohibiting Grell from taking any more tires. Another hearing was held in April 1999.
- ◆ The Webster County District Court ruled in the DNR's favor, issuing a \$3.5 million judgment in May 1999, ordering that no more tires be brought on site and the existing tires be cleaned up by Mr. Grell.
- ◆ Grell appealed this ruling to the Iowa Supreme Court, but that appeal was dismissed in May 2000 due to failure to file a timely brief.

The Department is concerned about the immediate threat to public health that the site poses, as it is infested with mosquitoes. Area residents are at risk of increased exposure to diseases, which can be transmitted by mosquitoes.

The City of Ft. Dodge has recently had staff from the Iowa State University Entomology Department and the Iowa Department of Agriculture Entomology Office visit the site to determine how to best control the mosquito population for the remainder of the season. Based on their findings, the DNR will assist the City with funding to bring the mosquito population under control.

Once this is accomplished, the Department will then seek to work out terms with Mr. Grell, whereby the Department will contract for clean up of the tires. This will be done to accomplish the needed resolution to the problem, but this will not negate the courts' findings and penalties assessed.

These updates are provided for the Commission's information and interest in the progress of the waste tire management fund programs.

Liz Christiansen introduced Mel Pins, Environmental Specialist, Waste Management Division, who addressed the Commission to provide and update on the current status of the Waste Tire Stockpile Abatement Program.

Rozanne King asked if there was any video documentation showing the progress made on these tire piles.

Liz Christiansen said she had a great deal of before and after pictures of a number of tire piles that she would be happy to share with the commission at a later date.

Mel Pins reviewed the item brief. He informed the Commission that although a number of these sites had other solid waste issues such as white goods, appliances, and old junk cars, agreements had been worked out to deal with those items. Two of the landowners have been working with NRCS to begin erosion control plans. He assured the Commission that there had been a great deal of documentation prior to cleanup of the Ervin project, where there is reported to be two and a half million tires, including some aerial flyovers and that the Department is continuing to document the progress that is being made. Mr. Pins reported that the contractor at the Ervin site is ahead of schedule and hope to be done sometime around the first of the year. In answer to the Commission's concerns about a used tire dealer operating on the Ervin property, the owner of the property and the lessee who is running the business has agreed to discontinue the operation by November 1st. The last remaining large tire pile is in rural Marshall County which goes back to the Mid 50's, and the Department is in the process of developing an agreement with the landowner for cleanup. As of May, the appeals, for the civil court case involving Donald Grell and a tire stockpile in Fort Dodge, ran out. The State received a judgement against Mr. Grell in the amount of 3 ½ million dollars and he was ordered to clean up the tires. To date Mr. Grell has not paid the fine nor began the clean up. Mr. Pins said he Department is planning to approach Mr. Grell to ask for uninhibited access to the site and cooperation from him so that the clean up can be done. The Department doing the cleanup will not negate the courts finding in anyway and needs to be done to prevent further problems.

James Braun asked how many small piles there were throughout the state.

Mel Pins answered that they started with a count of 81 and have completed clean-up on 30 of those sites. They now estimate there are a total of 4,000,000 tires on 50 sites yet to be cleaned up.

Discussion followed regarding how the Department calculate the tire counts at these sites and the basis of the clean up contracts.

INFORMATION ONLY

Randal Giannetto arrived at 10:35 a.m.

PUBLIC PARTICIPATION

Ron Jacobsen (Hog Confinement in Palo Alto County in floodplain.)

Ron Jacobsen stated he was concerned about several hog confinements that are being built on the floodplain in Palo Alto County. He distributed some information to the Commission that he stated would prove that the confinements were in fact in floodplain. The documents came from a 1985 survey by the Department of Geographical Survey that was done due to the construction of four new bridges that had to be approved by the State to a certain height. He informed the Commission the elevation for the area in question is 1177 feet above sea level, which is below the 50-year flood rating of 1180 1/2 feet. He said he knew that the standard was they had to build one foot above the 100-year flood elevation but he had not yet been able to get that elevation.

He displayed some photos of the area just to the northeast of where the hog confinement was planned to be built, he stated he had farmed this area for 36 years and had never got a crop from it, however this year was an exception because of the draught conditions. He also referred to a soil survey done by the Department of Soil Conservation for the State of Iowa, which shows that land where the producer planned to apply the manure consisted mainly of sand. Mr. Jacobsen expressed concern that because there are crops visible at this time the DNR representative who is scheduled to inspect the area would not realize the potential for flooding.

Addressing the points that Mr. Jacobson brought up Wayne Geiselman stated:

- The DNR representative that was inspecting the site was a field office employee, who in fact farms near Curlew, therefore is familiar with the area.
- Constructing on floodplains is and can be dealt with on a local level.
- The protection required for a hog facility is to the hundred-year flood level.
- The Department could not require the manure management plan to be submitted until 60 days prior to application.
- The Department does in fact look at the soil type, but they do not have the authority to tell the producer that they can not build on a certain property.

Ron Jacobsen said his local authorities told him, that the issue of floodplain was dealt with at the state level.

Wayne Gieselman informed him that the State did set the floodplain levels but the County dealt with the construction permits for those areas.

Darrel Hansen stated the language of the law states that construction either has to be above the floodplain or has to be flood proofed to that level.

Discussion followed clarifying some of the points that Mr. Jacobsen spoke about.

Mark Lambert (UNI Study on Manure Management Practices)

Mark Lambert stated he is the new Executive Director for the Environmental Council, and he was here to address the UNI Study on Manure Management Practices. He stated current Iowa law allows the application of manure as a waste product, which causes environmental problems, rather than promoting the use of manure as a resource which can be used as fertilizer and in ways that are not so environmentally damaging.

Mr. Lambert suggested there are a couple of ways to deal with the manure from the large feeding operations as well as the smaller ones. One way is testing the manure for the amount of nitrogen and phosphorous in the manure and apply it to the soil in farmland depending upon the type of crop that is being grown. The other way, that is apparently being allowed by law, is to apply it to land without regard to the amount of nitrogen and the type of crop, which can result in a build up of phosphorous and too much nitrogen which ends up in the rivers and streams. He emphasized that we need some revision in the Iowa law and maybe some rules and regulations from the Environmental Protection Commission to deal with the problem of over application of the manure.

Mr. Lambert stated that he wanted to clarify that the Environmental Council was not involved in the study. Although Doctor Dennis Keeney, who is co-author of the UNI Study on Manure Management Practices is the president of the Iowa Environmental Council's Board of Directors, he was not acting in that role while he was working on the study. He felt it was important to remember that this study was published in the Journal of Soil and Water Conservation which is a peer reviewed journal, so it was reviewed by other scientist from around the country and experts in this area. He distributed a hand out to the Commission entitled "Five ways we must improve Iowa's manure management laws to protect human health and our environment." He added that some of the policy recommendations match those that were recommended in the study.

Gary Priebe asked if the Environmental Council ever considered the amount of nitrogen and phosphorous that come out of city and municipality lagoons. He stated it was written in their permit that if they have an overage they could release directly into the river.

Susan Heathcote, Research Director for the Iowa Environmental Council stated the city and municipalities are in fact allowed to discharge to the level in the permit, however in Iowa, studies have shown that more nutrients are being contributed from agricultural sources than from the municipalities.

Short discussion followed.

Chris Gruenhagen (Livestock regulations UNI Manure Study)

Chris Gruenhagen, President, Iowa Farm Bureau stated that she was here representing the Iowa Farm Bureau, she distributed a letter from Ed Wiederstein who was not able to attend. She explained she would be reviewing some of the history on the livestock regulations and addressing a few issues brought up by the manure study.

She stated there have been extensive regulations adopted in 1996, 1997, and 1999, and new legislation was adopted in 1995, 1996, 1998, and 2000, which amounts to new regulations passed every year since 1995. According to the nine exemptions of zoning 335.2 of the code counties do have authority to regulate zoning facilities in the floodplain.

She stated as part of the regulations that have been passed over the past five years, existing operation were required to file manure management plans. These plans were required at different times according to the size of the operation and whether or not they were required to have a permit. However the majority of

these plans were filed around the same time. Consequently there was a large backlog in the DNR being able to review these plans. When you look at the UNI Manure Study one of the things that she would like you to think about is that it is very likely those manure management plans had not yet been reviewed or approved by the DNR. Therefore comparing those as though they are meeting the code and the regulations is not accurate.

She stated the examples that were chosen for the study are not typical of Iowa, the study states that they chose an area that is heavily concentrated, therefore should not be used to generalize across to all operations in the state. All of the operations in the study were built prior to 1995 therefore had not been built under current regulations. She summarized that we are not talking about the current situation and regulations in the state when we look at this study.

Ms. Gruenhagen stated the facilities in the study that use lagoons are subject to inspection. Since we are two years into that program each facility would have been inspected at least once and part of that inspection is to look at the manure management plans that the facilities have on the site. She explained the manure management plans that were filed at the DNR are not necessarily the manure management plan being used by the operation because the rules allow for the producer to modify their plan. Those records are kept on-site. The study states the facility does not have to follow the manure management plans. All confinement operations that have to have a manure management plan, have to follow it otherwise it is a violation of the law.

She stated because of some inaccurate coverage that has taken place in the news media regarding Farm Bureau's position on manure management plans, she wanted to briefly cover that. She emphasized that Iowa Farm Bureau support manure management plans for non-permitted sites to the Department of Natural Resources and the County Supervisors before construction.

She stated in the study there were several unreasonable assumptions made, these assumptions are based on a different philosophy regarding what the role of government is. When you look at regulations, you need to decide whether it is the role of government to set minimum standards to protect the environment and then allow producers to restrict application further when it is warranted. Or is it the government's role to regulate social concerns and economics through environmental regulations.

She stated phosphorous is immobile once it is applied to the soil. It only becomes a water quality problem when the soil becomes saturated or there is a problem with soil erosion. So when you are looking at application of phosphorous through manure it really doesn't become a water quality problem until the application reaches a certain level. The article establishes phosphorous estimates based on the crop update levels. Currently the NRCS is working on a phosphorous index for manure application to try to establish for certain Iowa soils what that level of phosphorous application is that would cause water quality problems. However the research has not yet been completed. She concluded by saying that the Farm Bureau does encourage all producers whether permitted or non-permitted to submit or at least develop manure management plans.

Discussion followed regarding the time element of submitting the manure management plans and the leaching of phosphorous.

Interim Director Lyle Asell stated the nutrient criteria is being put together by EPA, which is a regulatory approach to pollution from nutrients, it involves phosphorous and nitrogen as well. He added that the AFO/CAFO strategy moving into the planning phase requires a comprehensive nutrient management plan as part of that as well. He believes the issue is not whether or not phosphorous is going to be regulated, but when and how. Although we are doing a better job of management now, we do have soils that are very high in phosphorous levels and it is impractical to think that we would have an instantaneous shift. There are some serious issues in this state and we need to be thinking and talking about them.

Darrell Hanson stated he lives in an area where the soil is very high in phosphorous. He said he thought it would help if we could get the landlords to stop requiring in their leases that the tenants fertilize the land at the maintenance level for the crop they are taking out.

MONTHLY REPORTS

Mike Valde, Division Administrator, Environmental Protection Division, presented the following item.

The following monthly reports are enclosed with the agenda for the Commission's information.

1. Rulemaking Status Report
2. Variance Report
3. Hazardous Substance/Emergency Response Report
4. Manure Releases Report
5. Enforcement Status Report
6. Contested Case Status Report

Iowa Department of Natural Resources
Environmental Protection Commission
Rulemaking Status Report
August 1, 2000

Proposal	Notice to Commission	Notice Published	ARC #	Rules Review Committee	Hearing	Comment Period	Final Summary to Commission	Rules Adopted	Rules Published	Review	Rules Rule Committee	Effective
1. Ch. 22 - 25 - Air Quality Program Rules	5/15/00	6/14/00	9985A	7/11/00	7/20/00	7/28/00	*9/18/00	*9/18/00	*10/18/00		*11/06/00	*10/25/00
2. Ch. 40, 41, 42, 43, 81, 83 - Water Supply, Operator Certification and Environmental Lab Certification	5/15/00	6/14/00	9888A	7/11/00	7/6, 7/7, 7/14, 7/18 7/19/00	7/26/00	*9/18/00	*9/18/00	*10/18/00		*11/06/00	*10/25/00
3. Ch. 61 - WQ Standards	4/17/00	5/17/00	9839A	6/13/00	6/08, 6/12, 6/15, 6/16/00	6/30/00	*9/18/00	*9/18/00	*10/18/00		*11/06/00	*10/25/00
4. Ch. 64 - Wastewater Construction and Operation Permits	7/17/00	*8/09/00		*9/05/00	*9/01/00	*9/01/00	*11/20/00	*11/20/00	*12/13/00		*1/10/01	*1/17/01
5. Ch. 64 - Wastewater Construction and Operation Permits							7/17/00	7/17/00	*8/09/00		*9/05/00	7/21/00
6. Ch. 93 - On-Site Wastewater Treatment State Revolving Fund	6/19/00						*11/20/00	*11/20/00	*12/13/00		*1/10/01	*1/17/01

Monthly Variance Report

August 2000

Item No.	Facility	Program	Engineer	Subject	Decision	Date
1	Indianola Municipal Utilities	Air Quality		Permit Requirements	Approved	07/03/00
2	Pella Corporation-Pella	Air Quality		Permit Requirements	Approved	07/03/00
3	Banis-Borkeld Dairy-Guthrie County	Agricultural Construction	Joseph H. Marter	Concrete Standards-Manure Storage Structures	Approved	07/03/00

4	Chef's Inn Restaurant-Boone County-(Just West of Ames)	Wastewater Construction	Fox Engineering	Site Separation	Approved	07/25/00
5	Fontanelle, City of	Wastewater Construction	Howard R. Green Co.	Pipe Reaming-Slope	Approved	07/25/00
6	Fontanelle, City of	Wastewater Construction	Howard R. Green Co.	Pipe Reaming-Materials & Joints	Approved	07/25/00
7	Fontanelle, City of	Wastewater Construction	Howard R. Green Co.	Pipe Reaming-Installation	Approved	07/25/00
8	Mount Ayr, City of	Wastewater Construction	Howard R. Green Co.	Manhole Spacing	Approved	07/03/00
9	Roquette America, Inc.-Keokuk	Wastewater Construction	Howard R. Green Co.	Site Separation	Approved	07/21/00
10	Buchanan County Bridge Over Otter Creek	Flood Plain	IIW Engineers and Surveyors	Freeboard	Approved	07/31/00
11	Hanlontown Slough-Site 3	Flood Plain	Natural Resources Conservation Service	Storm/Storage Capacity	Approved	07/31/00
12	Lester Winter Property-Otter Creek-Lyon County	Flood Plain	Lyon County Engineer	Protected Streams	Approved	07/27/00

Iowa Department of Natural
Resources
Environmental Protection Division

During the period July 1, 2000, through July 31, 2000, 99 reports of hazardous conditions were forwarded to the central office.

A general summary and count by field office is presented below. This does not include releases from underground storage tanks, which are reported separately.

Substance					Mode					
Month	Total Incidents	Agri-chemical	Petroleum Products	Other Chemicals	Transport	Fixed Facility	Pipeline	Railroad	Fire	Other
October	62 (50)	6 (7)	48 (25)	5 (14)	32 (24)	23 (18)	1 (2)	2 (0)	0 (0)	4 (6)
November	64 (56)	10 (7)	38 (35)	15 (7)	26 (25)	30 (28)	1 (2)	3 (0)	1 (0)	3 (1)
December	67 (35)	10 (4)	40 (20)	17 (7)	23 (12)	34 (18)	1 (2)	4 (0)	0 (0)	5 (3)
January	41 (39)	4 (0)	27 (18)	9 (8)	13 (7)	24 (30)	1 (0)	0 (0)	0 (0)	3 (2)
February	65 (54)	3 (3)	32 (28)	30 (9)	14 (22)	48 (29)	0 (1)	0 (0)	1 (0)	2 (2)

March	96 (56)	20 (10)	64 (33)	12 (5)	43 (24)	45 (24)	2 (1)	0 (0)	0 (0)	6 (7)
April	112 (81)	39 (23)	42 (37)	31 (8)	38 (40)	63 (36)	0 (1)	0 (0)	3 (0)	8 (4)
May	97 (88)	25 (33)	59 (42)	13 (5)	38 (47)	53 (32)	0 (3)	2 (0)	0 (0)	4 (6)
June	96 (79)	11 (20)	62 (46)	23 (2)	27 (37)	59 (37)	1 (3)	0 (0)	0 (0)	9 (2)
July	99 (74)	4 (8)	76 (47)	19 (7)	21 (28)	66 (41)	3 (2)	5 (0)	2 (0)	2 (3)
August	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
September	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Total	799 (612)	132 (115)	488 (331)	174 (72)	275 (266)	445 (293)	10 (17)	16 (0)	7 (0)	46 (36)

(numbers in parentheses for same period last year)

Total Number of Incidents Per Field Office This Period:

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>
18	13	12	10	25	21

Iowa Department of Natural Resources
Environmental Protection Division

During the period July 1, 2000, through July 31, 2000, 1 reports of manure releases were forwarded to the central office. A

general summary and count by field office is presented below.

Month	Total Incidents	Feedlot	Confinement	Land Application	Transport	Hog	Cattle	Fowl	Other	Surface Water Impacts
October	6 (0)	0 (0)	3 (0)	2 (0)	1 (0)	6 (0)	0 (0)	0 (0)	0 (0)	2 (0)
November	4 (0)	0 (0)	2 (0)	1 (0)	1 (0)	3 (0)	1 (0)	0 (0)	0 (0)	0 (0)
December	2 (0)	0 (0)	1 (0)	1 (0)	0 (0)	1 (0)	1 (0)	0 (0)	0 (0)	0 (0)
January	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
February	1 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
March	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
April	1 (0)	0 (0)	1 (0)	0 (0)	0 (0)	1 (0)	0 (0)	0 (0)	0 (0)	0 (0)
May	1 (0)	0 (0)	1 (0)	0 (0)	0 (0)	0 (0)	1 (0)	0 (0)	0 (0)	1 (0)
June	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
July	1 (0)	0 (0)	1 (0)	0 (0)	0 (0)	1 (0)	0 (0)	0 (0)	0 (0)	0 (0)
August	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
September	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
Total	16 (0)	0 (0)	9 (0)	4 (0)	0 (0)	12 (0)	3 (0)	0 (0)	0 (0)	3 (0)

Environmental Protection Commission Minutes

August 2000

year)

(numbers in parentheses for the same period last

Total Number of Incidents Per Field Office This Period:

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>
0	0	0	1	0	0

The following new enforcement actions were taken last month:

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
Ellwell's Chef's Inn Restaurant & Lounge; Mr. & Mrs. Brent Havercamp; Mr. & Mrs. Roger Wheeler, Polk Co. (5)	Wastewater	Prohibited Discharge	Order	6/30/00
The Legacy Group, L.C.; Timberbrooke, L.C.; and The Oaks Development Co., Polk Co. (5)	Wastewater	Pollution Prevention Plan Violations	Consent Order	6/30/00
Kathy's Korner, Dewar (1)	Drinking Water	MCL – Bacteria;	Amended Order	6/30/00
The Legacy Group, L.C., Polk Co. (5)	Wastewater	Pollution Prevention Plan	Amended Order	6/30/00
Kathy's Korner, Dewar (1)	Drinking Water	Monitoring/Reporting – Bacteria; MCL – Bacteria	Order/Penalty \$500	7/09/00
Kiefer Built, Inc., Kanawha (2)	Air Quality	Construction Without Permit	Order/Penalty \$10,000	7/07/00
Shell Rock Products, Inc., Milford (2)	Air Quality	Open Burning	Order/Penalty \$10,000	7/07/00
Houghton, City of (6)	Solid Waste	Comprehensive Plan	Order/Penalty \$2,000	7/12/00
Twin Anchors R.V. Resort, Story Co. (5)	Wastewater	Monitoring/Reporting; Construction Deficiencies	Order/Penalty \$5,000	7/12/00
AGP Grain Cooperative, Klemme (2)	Air Quality	Fugitive Dust	Order/Penalty \$5,000	7/17/00
Altoona, City of (5)	Wastewater	Compliance Schedule	Amended Order	7/14/00
Boomsma's, Inc., Hardin Co. (2)	Animal Feeding Operation	Prohibited Discharge – Confinement; Water Quality Violations – General Criteria	Consent Order/ Penalty \$6,000	7/17/00
John Smith d/b/a Four-Corners Tap, Lockridge (6)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty \$1,000	7/16/00
Fairway Drive Well Assoc., Lisbon (1)	Drinking Water	MCL – Bacteria; Public Notice	Order	7/17/00
Gary Frana, Winnishiek Co. (1)	Animal Feeding Operation	Prohibited Discharge – Confinement; Water Quality Violations – General Criteria; Operational Violations – Freeboard	Referred to AG	7/17/00
Dennis J. Sharkey, Sr., Dubuque Co. (1)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to AG	7/17/00
Organic Technologies Corp.;	Solid Waste	Compliance Schedule; Cover	Referred to AG	7/17/00

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Tim Danley; Ken Renfrow, Warren Co. (5)	Wastewater	Violations; Discharge Limits; Operation Violations		
Albert Fleming, Clayton Co. (1)	Flood Plain	Construction Without Permit	Referred to AG	7/17/00
Roquette America, Inc., Keokuk (6)	Wastewater	Discharge Limits	Consent Order	7/17/00
Jet Co., Inc., Humboldt (2)	Air Quality	Construction Without Permit	Consent Amendment	7/17/00
Hagie Manufacturing Co., Clarion (2)	Air Quality	Construction Without Permit	Consent Amendment	7/14/00
National Gypsum Company, Fort Dodge (2)	Air Quality	Operation Without Permit	Consent Order \$10,000	7/17/00
Burlington Northern and Santa Fe Railway Co., Burlington (6)	Air Quality	Construction Without Permit	Consent Amendment	7/31/00
Heinz, U.S.A., Muscatine (6)	Air Quality	Operational Violations	Consent Amendment	7/31/00
Rustad Farms, Inc., Butler Co. (2)	Animal Feeding Operation	Prohibited Discharge – Confinement, Feedlot; Water Quality Violation – General Criteria	Order/Penalty \$3,000	7/31/00
Lamoni Municipal Utilities, Lamoni (5)	Wastewater	Compliance Schedule; Discharge Limits	Consent Amendment	7/31/00

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Bill Dettman d/b/a Dettman Oil Co. (Fonda)	UT	2,800	9-15-94
M & L Service; Loyal Dorr; Mark Courtney (Guthrie Center)	UT	1,000	8-30-95
Keith Owens and Howard Maurer (Wilton)	UT	3,100	1-01-96
Ronald Slocum; Tammy Lynn Determan (Marshall Co.)	SW	10,000	5-24-97
* Vernon Kinsinger d/b/a K & K Sanitation (Washington Co.)	AQ/SW	8,830	6-05-97
Sale-R-Villa Const., Inc. (Perry)	AQ	7,000	4-28-98
Larry Cope, Susan E. Cope, Bill VanPelt (Carlisle)	WW	1,500	5-05-98
Leland DeWitt (Louisa Co.)	AQ/SW	3,000	11-21-98
Ray Stamper; Bryan Zenor (Polk Co.)	SW	2,000	12-12-98
Otter Creek Station (Dubuque Co.)	WS	325	3-04-99
* Home Asbestos & Lead Abatement Services (Johnston)	AQ	1,150	6-15-99
* Orrie's Supper Club, Inc. (Hudson)	WS	390	6-01-99
Charlie's Supper Club (Algona)	WS	100	7-01-99
Hidden Valley Mobile Home Court (Washington Co.)	WS	200	7-26-99
Capitol Oil Co. (Oxford)	UT	6,560	10-09-99
* Randy Foth d/b/a Foth Lumber Co. (Livermore)	AQ	1,000	11-01-99
* Robert Simon (Dubuque Co.)	AQ/SW	2,000	11-01-99
* Hidden Valley Mobile Home Park (Washington)	WW	200	12-12-99
* Minifarm Acres, Inc. (Cedar Co.)	WS	375	1-29-99
James Harter (Fairfield)	WW	1,800	1-29-00
Dorchester Supper Club (Dorchester)	WS	100	3-08-00
10 th Hole Food & Spirits (Calamus)	WS	1,000	3-14-00
Jerry L. Roney (Huxley)	UT	2,000	3-25-00
Joe Denmark d/b/a Walnut Acres Campground (Monticello)	WS	1,000	4-15-00
D/S Land Company, L.C. d/b/a The Outer Edge (Mason City)	WS	300	4-25-00
Plain Salvage Inc. (Sac City)	AQ/SW	10,000	5-12-00
Weber Construction, Inc. (Cascade)	AQ	4,000	5-26-00
Steve Friesth (Webster Co.)	AQ/SW	4,000	6-05-00
The Barn (Sherrill)	WS	1,000	6-06-00
Country Hills Water Corporation (Peosta)	WS	500	6-12-00
Martin Marietta Materials, Inc. (Ames)	AQ	5,000	6-12-00
Don Casterline; Myron Casterline (Van Wert)	UT	2,000	6-14-00
Wendy Oaks Mobile Home Park (Cedar Rapids)	WS	1,500	6-20-00

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* Scott Paulson (Forest City)	AQ/SW	250	7-01-00
* Steven Reimers (Schaller)	AQ/SW	1,855	7-01-00
Western Iowa Limestone, Inc. (Logan)	AQ	500	7-14-00
Iowa Waste Systems, Inc.	SW	7,500	7-15-00
* Mount Joy Mobile Home Park (Davenport)	WW	500	7-30-00
* Ben Haven Mobile Home Park	WS	200	8-01-00
* Holland Contracting Corp. (Forest City)	AQ	1,000	8-01-00
Jet Co. Inc. (Humboldt)	AQ	600	8-16-00
* R.V. Hopkins, Inc. (Davenport)	AQ	5,200	8-16-00
#*Gary Frana (Winneshiek Co.)	AFO	2,500	8-20-00
Crestview Mobile Home Park (Ames)	WW	10,000	8-30-00
Heinz U.S.A. (Muscatine)	AQ	5,000	8-30-00
R & R Ranch (Osceola)	WW	10,000	8-30-00
Burlington Northern Santa Fe Railroad (Burlington)	AQ	4,000	8-30-00
Barry Smith (Delaware Co.)	AQ/SW	2,000	9-01-00
BTR Sealing Systems North America (Keokuk)	AQ	10,000	9-03-00
Robert Watson (Griswold)	UT	1,700	9-03-00
Coralville Lake Terrace Assoc. (Johnson Co.)	WS	1,500	9-05-00
Bode, City of	AQ/SW	500	9-05-00
Kathy's Korner (Dewar)	WS	500	9-06-00
Larrabee, City of	WS	250	9-11-00
Kiefer Built, Inc. (Kanawha)	AQ	10,000	9-12-00
AGP Grain Cooperative (Klemme)	AQ	5,000	9-18-00
Twin Anchors R.V. Resort, Inc. (Story Co.)	WW	5,000	9-18-00
John Smith d/b/a Four-Corners Tap (Lockridge)	AQ/SW	1,000	-----
Plum Enterprises; Clinton Graham (Polk Co.)	SW	1,000	-----
Deer Ridge Estates (Ottumwa)	WS	100	-----
# Thomas and Jane Kronlage (Coggon)	AFO	3,000	-----
# Boomsma's, Inc. (Hardin Co.)	AFO	6,000	-----
# Rustad Farms, Inc. (Butler Co.)	AFO	3,000	-----
TOTAL		185,385	

The following cases have been referred to the Attorney General:

Donald P. Ervin (Ft. Dodge)	SW	669	3-05-90
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Vernus Wunschel d/b/a Wunschel Oil (Ida Grove)	UT	300	1-12-92
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	3,070	10-11-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	600	10-11-94
Trust Trucking Corp.; Jim and Brenda Huyser (Lovilia)	UT	840	11-01-94
Paul Underwood d/b/a Underwood Excavating (Cedar Rapids)	AQ	4,000	3-24-95
Oscar Hahn (Solon)	AQ/SW	2,000	8-29-95
Randy Ballard (Fayette Co.)	FP	2,000	5-30-95
ESCORP Associates Ltd.; Arnold Olson (Cedar Rapids)	AQ	10,000	7-09-95
Long Branch Tavern (Monmouth)	WS	100	5-01-96
Long Branch Tavern (Monmouth)	WS	6,400	10-28-96
Long Branch Tavern (Monmouth)	WS	200	3-18-97
Dean Williams d/b/a Williams Oil Co. (Stuart)	UT	4,800	
Don Grell d/b/a Dodger Enterprises (Ft. Dodge)	AQ	10,000	2-16-93
Robert Jeff White (Dallas Co.)	AQ/SW	10,000	7-14-97
Edward Bodensteiner (Des Moines)	UT	3,200	3-31-96
Wunschel Oil, et.al. (Battle Creek)	UT	4,400	12-23-96
Tire-Tech Environmental Systems, Inc. (Muscatine)	SW/WW	2,500	
James LaFollette d/b/a Jim's Tree Service; Kurt Douglas (Marion Co.)	AQ/SW	2,000	2-16-98
*Ken Frese (Keokuk Co.)	AQ/SW	175	1-09-97
Elery Fry; Allen Fry; Becky Sandeen (Monroe Co.)	SW	6,000	1-20-96
Patrick McCoy (Keokuk Co.)	AQ/SW	2,000	2-10-96
Russell Barkema d/b/a Barkema Construction (Wright Co.)	AQ/SW	1,000	3-31-98
Action Jack's Paintball Park (Polk Co.)	SW/FP	10,000	11-07-98
#*Harold Unternahrer (Washington Co.)	AFO	700	5-01-99
Hofer's Danceland Ballroom (Walford)	WS	3,200	4-19-97
Hofer's Danceland Ballroom (Walford)	WS	100	4-23-99
Russell Zook d/b/a Haskin's Recycling (Washington Co.)	AQ/SW	5,000	12-19-98
Spillway Supper Club (Harpers Ferry)	WS	100	3-14-99
Phillips Recycling; Jeff Phillips (Story Co.)	WW	1,800	3-06-99
Greg Morton; Brenda Hornyak (Decatur Co.)	SW/AQ/WW	3,000	11-04-98

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Jim Walker (Johnson Co.)	AQ/SW	3,000	2-14-99
Iowa Millenium Investors, LLC (Sumner)	UT	4,000	10-12-99
Daryl & Karen Hollingsworth d/b/a Medora Store(Indianola)	UT	10,000	
Peter Orth f/d/b/a Strauss Bros. Conoco (Burlington)	UT	9,400	1-31-00
Ralene Hawkins d/b/a R.J. Express Salvage & Demolition; Clara Lindstadt (Des Moines Co.)	AQ/SW	1,000	7-01-00
Jim Ledenbach d/b/a Paper Recovery Company (Cedar Rapids)	SW	5,000	1-23-00
Dennis Sharkey, Sr.; Dennis Sharkey, Jr. (Dubuque Co.)	AQ/SW	2,250	2-11-00
Albert Fleming (Clayton Co.)	FP	2,000	9-06-98
Organic Technologies Corp.; Tim Danley; Ken Renfro(Warren Co.)	SW/WW	10,000	5-26-00
TOTAL		148,804	

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Frank Hulshizer (Benton Co.)	SW	500
Tom Wiseman (Sheffield)	UT	3,500
William Jensen d/b/a B & B Tire & Oil Co. (Avoca)	UT	2,300
American Coals Corporation - Site #5 (Bussey)	AQ/SW	10,000
Wunschel Oil, et.al. (Ida Grove)	UT	10,000
Titan Wheel International, Inc. (Walcott)	WW	10,000
Simonsen Industries, Inc. (Cherokee Co.)	WW	5,000
Dennis Malone & Joanne Malone (Morning Sun)	UT	600
Leonard C. Page (Adams Co.)	SW	3,000
Boyer Valley Company (Arion)	WW	8,000
Wilbur McNear; Gilbert Persinger (Smithland)	UT	2,500
Donald J. Foreman d/b/a D & R Feedlots (Woodbury Co.)	WW	3,000
Wilbur McNear d/b/a McNear Oil Co. (Charter Oak)	UT	2,000
Clarence, City of	WW	3,000
Dallas County Care Facility (Adel)	WW	2,500
Gary Walker (Montgomery Co.)	AQ/SW	3,000
Lamoni, City of	WW	500
Margaret and Gene Palmersheim d/b/a G & M Service Mart (Greeley)	UT	1,500
#Boomsma Egg Site #1; A.J. DeCoster (Wright Co.)	WW	1,000
Richard Sprague (Tripoli)	AQ/SW	5,000
Bellevue Golf Club, Inc. (Bellevue)	WS	300
Cliff's Place, Inc. (Waverly)	WS	1,500
Brittany Estates Addition (Manchester)	WS	4,000
Robert Frees; Elizabeth Mathes (Washington Co.)	SW	1,000
Bioavance Technologies, Inc. (Oskaloosa)	AQ	4,000
Keokuk Steel Castings Co., Inc. (Keokuk)	AQ	5,000
# Austin J. DeCoster (Nursery 8) (Wright Co.)	WW	1,000
Sac City, City of	WW	4,000
Pathway Christian School (Kalona)	WS	500
Wiese Corporation (Perry)	AQ	5,000
West Liberty, City of	WW	5,000
The Legacy Group, L.C. (Des Moines)	WW	10,000
The Elm's Corporation of Linn County (Cedar Rapids)	UT	4,700
Robert Diehl (Clarke Co.)	WW/WS	5,000
Duane Hanson d/b/a Cedar Valley Tire Recycling (Allamakee Co.)	SW	5,000
Keokuk Steel Castings Co., Inc. (Keokuk)	AQ	10,000
# Bernadette Ryan (Delaware Co.)	AFO	3,000
Lonnie King (Marion Co.)	AQ/SW	1,600
West Union Cooperative Co. (West Union)	WW	10,000
Country Terrace Mobile Home Court (Boone)	WW	5,000
Country Terrace Mobile Home Court (Boone)	WS	5,000
Dayton, City of	WW	10,000
# Peter Bockenstedt (Dubuque Co.)	AFO	3,000
# Dan Gotto (Dubuque Co.)	AFO	3,000
# Matthew Daly (Dubuque Co.)	AFO	3,000
Westside Park for Mobile Homes (Burlington)	WW	7,000
Woolstock, City of	WW	5,000
Gerald and Judith Vens (Scott Co.)	FP	5,000
Snap-On Tools Company (Algona)	AQ	1,500
Hargrave-McEleney, Inc. (Iowa City)	WS	1,000
CGB Printing Co. a/k/a Rock Communications Ltd. (Newton)	AQ	10,000

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Affordable Asbestos Removal, Inc.; Jeffry Intlekofer (Ft. Madison)	AQ	10,000
Muscatine County Sanitary Landfill	SW	10,000
#Eugene P. Reed, Ltd. (Henry Co.)	AFO	1,500
Shine Bros. Inc. (Spencer)	AQ	10,000
Julie Rowe d/b/a Jewell's Food & Spirits (Troy Mills)	WS	1,000
Rollin McAdams d/b/a McAdams Demolition Co. (Davenport)	AQ	3,000
Fernald Water System	WS	10,000
Brown Bottle Restaurant (Cedar Falls)	WS	7,000
Lorene Logue; Lester Holmes; Todd Holmes (Lucas County)	AQ	4,500
Sac County Golf and Country Club (Wall Lake)	WS	3,000
Tara Hills Country Club (Van Horne)	WS	500
Michael Roberts (Page Co.)	AQ	1,500
Osceola, City of	WW	5,000
Rocky Knoll Mobile Home Park (Forest City)	WS	3,000
# Iowa Select Farms, L.P.; AG Waste Consultants (Hamilton Co.)	AFO	3,000
GK Properties, Inc.; Greenwood Hills Estates, L.C. (Dallas Co.)	WW	6,500
Oakview Construction, Inc. (Red Oak)	AQ/SW	2,000
Omaha Cold Storage Terminals, Inc. (Ft. Dodge)	WW	1,500
Edward Degeus (Britt)	AQ	3,000
Fort Dodge, City of	WS	5,000
Aaron Berry (Pottawattamie Co.)	AQ/SW	1,500
Pine Creek Par 31 Golf Course (Mason City)	WS	1,250
Dave Thompson (Hancock Co.)	SW	2,000
Wendall Abkes (Butler Co.)	AQ/SW	3,000
Benefit Water District #2 (Boone Co.)	WS	2,500
Minsa Corporation (Red Oak)	WW	10,000
Dennis Seversson d/b/a Huxley Dry Cleaners (Huxley)	AQ	4,500
Bruening Rock Products, Inc. (Decorah)	WW	8,000
Minnesota Rubber Company (Mason City)	AQ	3,000
New Virginia Sanitary District (New Virginia)	WW	5,000
Meadowknolls Addition (Linn Co.)	WS	1,500
Bee Rite Tire Disposal; Jerry Yeomens (Marshall Co.)	SW	10,000
Ainsworth, City of	WW	1,000
Hawkeye Leisure Trailers, Limited (Humboldt)	AQ	2,000
Carastar Paperboard Co. d/b/a Tama Paperboard (Tama)	AQ	1,000
ALMACO, Inc. (Nevada)	AQ	1,000
Delaware County Conservation Board	WS	1,000
LT Tap (Waucoma)	WS	500
Kirk Latta (Wilton)	WS	10,000
IBP, Inc. (Columbus Junction)	SW	1,000
Iowa State University Heating Plant (Ames)	AQ	1,000
Shelby's (Hazelton)	WS	500
Iowa Air National Guard – 185 th Fighter Wing (Sioux City)	AQ	1,000
Minnesota Mining and Manufacturing d/b/a 3M (Knoxville)	AQ	1,000
Winter Mobile Home Park (New Hampton)	WS	1,000
John Deere Waterloo Works – DDS (Waterloo)	AQ	7,000
Alliant Energy Corp. d/b/a Alliant Transportation (Williams)	AQ	10,000
# Leo Pieper (Guthrie Co.)	AFO	2,500
Alta Vista Property Owners Assn. (Ames)	WS	1,000
Top of Iowa Cooperative (Hanlontown)	AQ	3,000
Bettendorf, City of	WW	1,000
Quality Mat Co., Inc. (Waterloo)	AQ	8,500
Ajinomoto USA (Eddyville)	AQ	4,000
Millersburg, City of	WS	3,000
Gomaco Corporation (Ida Grove)	AQ	10,000
L & S Ag Center (Worthington)	WW	3,500
Featherlite, Inc. (Cresco)	AQ	8,000
Boondocks Truck Haven (Williams)	WS	2,750
Speltz Elevator Inc. (Worth Co.)	WW	3,000
Malvern, City of	WW	5,000
# Paul Arneson (Ellsworth)	AFO	1,000
# Dan Witt (Clinton Co.)	AFO	3,000
Prairie Village Mobile Home Park (Booneville)	WS	250
Makada Homeowners Association (Iowa City)	WS	500
Houghton, City of	SW	2,000
Shell Rock Products, Inc. (Milford)	AQ	10,000

TOTAL 470,250

The following administrative penalties were paid last month:

NAME/LOCATION	PROGRAM	AMOUNT
* Steven Reimers (Schaller)	AQ/SW	215
Moravia Lumber Co.; Terry Spurgin and David Spurgin		
d/b/a Hawkeye Box & Pallet (Moravia)	AQ	2,000
* Mount Joy Mobile Home Park (Davenport)	WW	500
Dan and Kelley Claar d/b/a Claar Constr. (Council Bluffs)	AQ/SW	300
Sky Line Inn (Dubuque)	WS	500
* Holland Contracting Corp. (Forest City)	AQ	500
* Ben Haven Mobile Home Park	WS	50
Hagie Manufacturing Company (Clarion)	AQ	1,000
Orange City, City of	WW	3,000
Bonaparte, City of	AQ/SW	1,000
Exide Corporation (Manchester)	AQ	10,000
Kenny Habben (Pioneer)	AQ	500
* Vernon Kinsinger d/b/a K & K Sanitation (Washington Co.)	AQ/SW	100
Barilla America Inc. (Ames)	AQ	5,000
Winnebago County Board of Supervisors	AQ	2,000
# Mark Shipman (Corwith)	AFO	500
* R.V. Hopkins, Inc. (Davenport)	AQ	500
TOTAL		27,665

The Following SEP payments were made last month:

#*Gary Frana (Winneshiek Co.)	AFO	500
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The \$10,000 penalty assessed to Dave and Theresa Cook d/b/a Curry Environmental Services (Burlington) has been rescinded.

The \$550 penalty assessed to the City of Bankston has been waived.

Mike Valde presented the details of the various routine reports. He reported to the Commission that the Department was hoping to begin the reporting of bypasses from municipal treatment facilities as early as October.

Rozanne King asked if it was required in asbestos removal that a company, separate from the one doing the removal, do the air testing.

Mike Valde stated the contractor could do their own air tests but the test is submitted to a certified laboratory.

James Braun asked if Mike Valde knew the percentage of hazardous material or spill reports that were self-reported.

Mr. Valde stated he did not know the percentage but it was his belief that the majority of them were self-reported.

INFORMATIONAL ONLY

PROPOSED CONTESTED CASE DECISION – CITY OF WOOLSTOCK

Michael Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

On March 3, 1999, the department issued Administrative Order No. 1999-WW-12 to the City of Woolstock. The Order required compliance with conditions relating to operation of the City's wastewater treatment facilities, and assessed a \$5,000 penalty. The City appealed the Order, and the matter proceeded to administrative hearing on June 14, 2000. The Administrative Law Judge issued the attached Proposed Decision on July 13, 2000. The decision affirms the Order, with the exception of reducing the penalty.

Either party may appeal the Proposed Decision to the Commission. In the absence of an appeal, the Commission may decide on its own motion to review the Proposed Decision. If there is no appeal or review of the Proposed Decision, it automatically becomes the final decision of the Commission.

Mike Murphy briefed the Commission on the case. He stated the Department is pretty certain that there will be no appeal of the decision as payment on the penalty has been received.

The Commission took no action; this has the effect of upholding the Administrative Law Judge decision in the absence of an appeal.

DECISION UPHELD

PETITION FOR RULEMAKING – A.O. SMITH (TABLED)

Michael Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

The Commission tabled this item at the May 2000 meeting, to allow the staff to evaluate the issue of requiring additional safety features for the valving mechanisms in the manure storage tank. This issue is scheduled to be discussed at a meeting with AACO on August 16, 2000. The results of that meeting and any recommendations that come out of it will be presented to the Commission. A copy of the Petition for Rulemaking, and attachments, and the Proposed Denial tabled at the May meeting are included.

A. O. Smith Corporation has requested that the Commission modify the definition of "freeboard" as it relates to manure storage structures. The company manufactures formed manure storage structures, more particularly, "Slurrystore" tanks. The current definition of freeboard is "the difference in elevation between the liquid level and the top of the lowest point of animal feeding operation structure's berm or the lowest external outlet from a formed manure storage structure." Slurrystores are commonly built with a valved outlet system through the bottom of the tank, allowing gravity flow for removal of manure. The department's definition of freeboard would not allow this. The company asks that the definition be changed to "vertical distance between the maximum water surface elevation anticipated in design and the top of retaining banks, pipeline vents, or other structures provided to prevent overtopping because of unforeseen conditions." The company feels this definition is more widely used throughout the country with relation to agricultural and industrial wastewater systems.

DEPARTMENT RESPONSE

The department feels that its current definition is sound. Although not relevant to this request relating to formed tanks, the alternative definition does not address the issue of low spots in earthen structures'

berms. With respect to formed tanks, we feel that gravity outlets through the bottom of a structure are a disaster waiting to happen. We are aware of one instance in Benton County last year in which 150,000-200,000 gallons of manure was released from a 500,000 gallon Slurrystore when a valve failed. Only quick thinking and the prompt help of many neighbors prevented that incident from becoming a major environmental problem. Many of these tanks are in the 1-2 million gallon range. Although other methods of manure removal, i.e. pumping, would be more costly for the producer, and are not foolproof, the degree of threat from a failed or poorly operated gravity flow system in these large tanks is just too risky. It is our understanding that NRCS does not design formed storage systems that would allow gravity flow for manure removal.

For the above reasons, the Petition for Rulemaking is denied.

Motion was made by Rozanne King to remove the Petition for Rulemaking – A.O. Smith from the table. Seconded by Darrell Hanson. Motion carried unanimously.

Mike Murphy reviewed the original petition for the Commission and stated to date the Department has received no communication from the petitioner to discuss this issue, therefore the Department is recommending denial of the petition.

Wayne Geiselman stated he had made three attempts to contact the petitioner but did not get a response until two days prior to the ACCO meeting. The issue was discussed at the ACCO meeting, however because there had been no wording proposed on how to deal with the freeboard issues and/or a failsafe method in case valves broke or stuck, ACCO took no action.

James Braun made a motion that Wayne Geiselman make one more contact to inform them that he is being instructed by the Commission to try to set up a meeting to work out the details of their petition. Seconded by Darrel Hanson

Darrell Hanson stated he had seconded the motion because although the company has been less than diligent in their efforts he still felt it was a good idea.

Motion carried unanimously.

UNI MANURE STUDY

Mike Valde, Division Administrator, Environmental Protection Division, presented the following item.

Mike Valde introduced Laura Jackson co-author of the UNI Manure Study.

Laura Jackson stated her co-authors were Dennis Keeney and Elizabeth Gilbert, the study began in the summer of 1998 completing it approximately a year later, it was then submitted to the Journal of Soil and Water Conservation in July of 1999 who sent the study out to peer reviewers in other states. The

study centers on the following questions: How concentrated do swine get? How much manure nitrogen and phosphorous is generated? How much Nitrogen is volatilized as ammonia? Is there enough land available to spread manure? Are producers treating manure nutrients as a resource or a waste? Are state regulations adequate to protect water quality?

She next explained their methods, which was to choose an area of high livestock concentration, she said they had wanted to test the law, so they were not trying to assess a typical situation in Iowa. They collected all of the construction permits and manure management plans in the summer of 1998 as well as all of the correspondence that took place between the DNR regulators and the Confined Animal Feeding Operations (CAFO) manure managers. They verified the field locations and areas from aerial photos. They then checked all of the numbers in the manure management plans to see how they were determined and compared those numbers and methods with the most recent ISU bulletin (PM-1599) and HF 519.

Through the data they were able to calculate how much nitrogen is "lost" as gaseous ammonia, how much phosphorous is applied and how much is stored in lagoon sludge, and how much land area would be needed if you base manure management on replacing the phosphorous lost in grain harvest.

Laura Jackson stated the location for the study was an area in Hamilton County where there are ten confined animal feeding operations and each were assigned an ID number. CAFO's one and two are owned by one operation, numbers three, four, and five are owned by another operation, and units six, seven, eight, nine, and ten are owned different operations but all have the same last name. The figures obtained for the animal space capacity came directly from the construction permits and the total for the ten operations was 59,700, she then calculated the total excreted manure nitrogen coming up with a total of 1,791,000 lbs.

Laura Jackson explained the different types of storage facilities and how it affects how much nitrogen that is left to spread on the ground. According to PM-1599 lagoons typically retain 20 percent of the nitrogen, and during sprinkler application only 60 percent of the remaining nitrogen is retained. Operations one through five use lagoons for storage with the irrigation method of application, which on average would lose approximately 88 percent of the nitrogen to ammonia volatilization. The other method of storage is using a basin, which retains 70 percent of nitrogen in storage. The other five operations in this study used the basin method for storage and an injection method for application, the injection method on average loses 5 percent of the nitrogen to ammonia volatilization, so together the average losses of nitrogen using basin storage and injection application is 34 percent.

Ms. Jackson then compared her findings to the numbers in the manure management plans and found that several of the CAFO's numbers differed from her findings. She summarized where the discrepancies came from. In the case of CAFO number 2 the building permit stated that they had space for 15,000 finishing hogs, however the manure management plan stated that they would be spreading manure from only 13,000 hogs. CAFO's three through five had a significantly lower manure volume per day than the PM-1599 had used, these CAFO's also used lagoon tests to estimate their manure nitrogen and all three operations came up with the same number of .00581 pounds of nitrogen per gallon. CAFO's six through ten used one table from 1991 for manure nitrogen content per gallon, they used another table for 995 for the gallons produced per day which had the effect of lowering their nitrogen estimate by 30 percent.

She then used the numbers provided by the CAFO's to calculate the number of acres needed to apply the manure. She stated soybeans do not need manure nitrogen, because soybeans fix nitrogen from the air, therefore they assumed for this study that soybeans were not manured. They also assumed average county yields for corn, because the amount of nitrogen that will be demanded by a crop depends on its yield. In the case of corn 1.2 pounds of nitrogen are typically applied per bushel of yield. They estimated it both on continuous corn and corn/bean rotations.

Using those assumptions, they compared their findings with the actual number of acres being used according to the manure management plans. Overall for these ten CAFO's, the study found that they

would need 7054 acres to spread the manure, the manure management plans stated the need for 2448 acres which is only 34 percent of the studies estimate.

She then reviewed what the study found to be the reasons for the discrepancies; the first being the difference in how nitrogen is estimated. She stated some of the reasons appear to be legal such as the mixing and matching of the various tables and boosting their target yield by 10 percent above the county average. Other reasons would be the hog counts being one amount in the construction permit and lower in the manure management plan, manure testing verification, target yield versus recorded performance, and field area and location.

The study concluded that these CAFO's were applying between 48 and 248 pounds of phosphorous per acre per year. She stated the reason for the numbers being lower was that they used lagoon phosphorous test rather than standard values. In most areas in Hamilton County, if the soil tests indicate that the soils are low in phosphorous the recommendation is to apply 60 pounds per acre for corn and 40 pounds per acre for soybeans. The majority of the phosphorous in the lagoons is concentrated in the sludge, out of 29 pounds of phosphorous excreted from one animal space, 5 pounds remains in the lagoon effluent and 24 pounds ends up in the sludge. The question is at what point does soil become saturated and phosphorous leaching becomes a problem.

She summarized the study by saying the answer to the question how concentrated do swine get in this non-random study the answer was 59,700 swine spread over 2448 acres of manured ground which amounts to 24 animal space per acre manured. The answer to the question how much nitrogen is volatilized as ammonia is around 1.8 million pounds of nitrogen is excreted but 1.3 million pounds is "lost" as ammonia, which goes up into the atmosphere and comes back down in rainfall within a 50 kilometer radius. Based on their assumptions these CAFO's would need about 3 times more land for efficient nitrogen use and about 9 times more land for efficient phosphorous use.

She stated the study concluded that the law does allow the CAFO's to treat manure nitrogen wastefully and to greatly over-apply phosphorous which will eventually put water quality at risk. Secondly atmospheric emission of ammonia are significant, and finally phosphorous is building up in lagoon sludge in large amounts and its disposal at this time is unregulated

Darrell Hanson stated in his county the difference between the highest yield and the lowest are so large that the average is meaningless. He asked Ms. Jackson if she had any reason to believe that the yield was lower than the average.

Laura Jackson stated CAFO's one and two estimated their yields by using the GIS system and came up with estimated yields that were very close to the county average.

Dr. Elizabeth Gilbert added this was an area that was not well drained, and has been known to have ponds develop on it in wet years.

Larry Wilson asked how they selected the site that was studied.

Laura Jackson answered it was an area that Dr. Gilbert knew well.

Terrance Townsend asked if Dr. Jeff Lorimar, author of PM-1599 wished to make any comments.

Dr. Lorimar distributed "Review of the UNI Manure Study." He said Laura Jackson had done a good job and her paper is well written, and though she took a different approach to figuring the amounts of nitrogen than they used in PM-1599 the numbers worked out to be correct. He stated it is important to

keep in mind that the study was a worst case scenario and does not represent the vast majority of Iowa. Not all pork producers are bad guys, and most have developed and regularly use their manure management plan. All of the facilities in the study had been built prior to the HF-519, at a time when manure management plans were not required, the recommendation for nitrogen at the time they were built was no more than 250 pounds of nitrogen per acre per year with a maximum of 400 pounds in any one year.

He said several of the issues brought up in the study were enforcement issues as opposed to legislative issues requiring new laws. With the manure management plans being a one time submission, an argument could be made saying that they should be resubmitted every time they are changed, but then there is the issue of not enough staff to read through all of those revision.

He emphasized that in all of their meetings with producers they stress, before they spread manure on a new acreage you must change your plan and you must keep that plan in your files for three years. The issue of using different volumes and concentrations is a problem and even though it is not legislatively prohibited the DNR is very aware of the practice and spend a lot of time verifying the numbers in a manure management plan.

Dr. Lorimar explained the reasoning behind allowing the producers to add ten percent to crop yields is due to the fact that nutrient levels in manure are variable therefore the ten percent is added as a safety factor. There is research data that says if you put the right amount of nitrogen on your crop, whether it is corn or soy beans, as long as you do not over apply, it is not a threat to ground water. From a water-quality point-of-view manure on soybeans is all right, but from an economic point-of-view it is wasting the nutrients.

Interim Director Lyle Asell asked what Dr. Lorimar's definition of the right amount of manure.

Dr. Lorimar answered crop utilization, which is 3.8 pounds of manure per bushel according to the agronomists.

Dr. Lorimar stated phosphorous is not a health issue, and as far as he knew was not an issue as far as hypoxia in the Gulf is concerned. It was his understanding that hypoxia is a nitrogen issue rather than phosphorous, because oceanic salt water is already phosphorous rich. Where phosphorous was an issue is where it goes into a stream that is above an impoundment. Therefore in the rivers that flow directly to the Gulf and is not contained anywhere, phosphorous would not be an issue.

Dr. Lorimar stated lagoons were a worse case scenario with regard to ammonia losses, however the typical facility being built today is the deep pit facility, which is the most efficient. His bottom line was that the vast majority of our producers are conscientious and trying to do a good job.

Discussion followed regarding the variances in the nutrients.

Liz Gilbert said she would like to make some personal comments because she lives in the area of the study. She stated she had been before the Commission at other times asking that livestock lagoons that were built below the water table be closed. There are approximately 30 lagoons in her area, making them the rule not the exception. She learned from the study that producers are putting more manure on soybeans than on corn. It was her understanding that for the 142 pounds of manure nitrogen that they are applying for the corn, they are applying 192 pounds of the manure nitrogen for the soybeans. She stated this is typical of the numbers throughout the manure management plans. Because of the 3.8 pounds of manure per bushel per acre, the Department is allowing much more manure to put on soybeans.

Ms. Gilbert stated she would like to see the Department of Natural Resources to think more imaginatively in regard to mitigation. For example if someone is over applying, they might be made to plant a crop that would remove the nitrogen and/or phosphorous from the soil before it leaches into the watershed. In conclusion she said while the location of the study may have been the worse, the mile north of her has 20,000 hogs on it, mile and a half south of her has 20,000 hogs on it, and there are several facilities with 10,000 head all around her. They built last year; they built this year, and are now considering a beef packing plant for the area. She requested a saturation level be established, where as once a county achieves a certain amount of livestock, local control would be allowed.

Wayne Geiselman stated all of the dates that were mentioned were correct, however, there were no bodies on staff to review manure management plans for the existing facilities until October 1999. One of the things the Department is asking producers to do is to run tests on their manure and use those test results to figure out how to apply it. If tests are not available they do use the numbers from PM-1599. The staff does check all of the numbers, which is a very slow job. The DNR is mandated to have them all completed by January of 2001, however with 800 manure management plans left to review he does not see them achieving their goal. He pointed out that there are no labs in this state that are certified for manure, even though there are some labs that will test manure they are not certified, the nearest certified lab was in Minnesota. The Department depends on the farmers to be honest in regard to the hog count issue because there are not enough staff people to go to these facilities and count hogs.

He stated the law recognizes five ways to determine yields, and although some people had over estimated how good their crop was going to be the Department had caught it. Due to putting the manure management plans into the GIS system they have also been able to catch those facilities that plan to apply their manure to land that is already identified by another manure management plan. He said the Department has been getting a few more requests to close lagoons and land apply the sludge that is in the bottom, to date there are no specific rules for that, although that was one issue brought up at the ACCO meeting last week. The recommendations that the Department gives at this time is to test the sludge and determine the phosphorous content and apply it accordingly.

INFORMATION ONLY

UPDATE ON STATUS OF BEACH MONITORING PROGRAM

Liz Shinall, Geologist 2, Water Monitoring Section, presented the following item.

Iowa Department of Natural Resources Parks Division personnel are collecting lake water samples weekly at 31 state park and recreation area public beaches from May 22 through September 18, 2000. The University Hygienic Laboratory in Iowa City analyzes all beach samples for three indicator bacteria (*E. coli*, enterococci, and fecal coliform). Indicator bacteria are microorganisms that are easy to collect, easy and safe to analyze for, and usually present when pathogens are present. A rise in the level of indicator bacteria means an increasing risk that pathogens are also present.

Objectives of the 2000 Beach Monitoring Program are: obtain baseline bacteria levels for each of the state beaches for the three indicator bacteria; determine weekly variability of bacteria levels at all beaches; determine the relevance of increased sampling frequency when compared with weekly monitoring by sampling daily at four beaches; determine factors that impact bacteria concentrations at beaches; and identify any chronic bacterial problems at state beaches.

Most of the individual samples have revealed low bacteria levels at the beaches, although intermittent elevated bacteria levels have occurred at many of the beaches. Only the beaches at Backbone and Beeds Lakes have routinely exceeded EPA guidelines during this period. Beaches at Lake Macbride, Big Creek, Lake Ahquabi and Black Hawk Lake were sampled twice daily, for a period of 45 days from May 22-July 6, 2000. Daily sampling indicates that elevated bacteria levels may be found at most beaches, but that elevated levels are transient, often persisting for 24 hours or less following runoff-producing rains.

The current data collected show great variability of the bacterial indicators, not only between parks, but from week to week at a given beach. Tentative results show a relationship between the amount of rain received and bacteria levels at the beaches. Statistical testing is being conducted to determine the strength of the correlation between rainfall and bacteria levels. Testing is currently being done on basin size, swimmer numbers, turbidity and waterfowl to determine what relationship these factors have on the bacterial levels at each beach.

It is expected that beach monitoring in 2000 will greatly increase our understanding of water quality changes and will aid in the management of beaches in the future.

Liz Shinall distributed a packet of handouts that contained a summary of the results they have gotten so far, an article by Susan S. Brown, Extension Program Specialist/Water Quality, Iowa State University, that Liz said would serve as a summary as to what all these results mean, and a few other diagrams that she planned to show during her presentation. She reviewed the objectives of the study as well as the methods and timetables. She stated the EPA recommends that for primary contact waters or water that are bathed in, the levels for the three bacteria levels not exceed 126 colony forming units (CFU) for E. coli, 200 CFU for fecal coliform, and 33 CFU for enterococci bacteria. The geometric mean is the average of at least 5 samples over a thirty-day period, if those averages rise above the EPA guidelines it indicates a violation of an EPA criteria, as was the case in Backbone State Park and Beeds Lake State Park. The bacteria levels in general go up as the amount of rain goes up but they normally will go back down very quickly as well. Even though there were a few occasions where the numbers have been above the EPA standards, when averaged together with at least 5 samples from a 30 day period, the park does not exceed the EPA guideline for swimming.

Ms. Shinall said that she is currently doing a lot of statistics with the result that they have gotten to try to determine what the most strongly influencing factors are on the bacteria levels. One factor that keeps coming up is the basin's size. She stated that the two parks that had the problems this year have the largest watershed to lake ratio's.

Darrell Hansen stated Pine Lake had a watershed of approximately the same size as Beeds Lake but had relatively low numbers throughout the study. He asked if Liz Shinall had any theory as to why.

Liz Shinall stated she is also looking at the percentage of the land use for the watershed, and has found that Backbone, Brushy Creek, and Beeds Lake have the highest row crop percentages where as Pine Lake does not.

Lyle Asell stated the Department had also just completed a water quality project on Pine Lake, which addressed all water quality issues, with sediment being one of the major ones. He believed they had reduced sediment by approximately 70%.

Larry Wilson asked about the length of time between the sample being collected and the analysis being done.

Liz Shinall stated the lab required that they set up the analysis on the sample within 24 hours of being collected. The E. coli and fecal coliform bacteria require a 24 hour incubation time before the colonies can be counted and released. The incubation time for enterococci bacteria is 48 hours. Therefore the results for the samples collected on Monday are not available until Friday.

Mike Valde asked if they had been able to identify the source of the bacteria.

Liz Shinall stated at this time the lab did not have a way to determine if the bacteria is from human or animal, but is able to say it comes from a warm blooded animal. She stated that they had done testing at Backbone to try to determine the origin of the bacteria but as yet have not received the results.

Susan Heathcote stated the DNA testing to determine the source of bacteria was being done at the University of Washington.

James Braun asked if the study consistently found spikes in bacteria after a one-inch or more rainfall.

Liz Shinall stated it had but cautioned that if the ground is already well saturated with rain, the bacterial spikes may not be as high. Also if an area received 2 or more large rainfalls in a short amount of time the bacteria level would not have a chance to drop back down to a normal level prior to going back up. She stated that another factor they looked at were the number of swimmers as a source of bacteria spikes but the study found that it had little or no impact. The only thing that seemingly matters thus far is rain.

Discussion followed regarding the specific results at the various beaches.

INFORMATION ONLY

WASTEWATER VARIANCE – ROQUETTE AMERICA, INC.

Mike Valde, Division Administrator, Environmental Protection Division, presented the following item.

On July 21, 2000, the department granted a variance to Roquette America, Inc., in connection with a construction permit for certain upgrades to its wastewater treatment facilities. Information relating to the variance is attached. The variance is from the separation distance requirement for residences in proximity to wastewater treatment facilities.

The Department has received inquiry about the granting of the variance. The propriety of granting the variance is not questioned. Concern was expressed about the procedures that were followed. The Commission has requested that this item be placed on the agenda for discussion.

(A copy of the information relating to the variance is on file at the Departments Record Center.)

Chairman Terrance Townsend stated that it was his concern that a variance can be issued without any input from neighbors to the operation that is receiving the variance.

Michael Murphy stated the rule or standard under discussion is the separation distance from residences, in those cases the Department requires the operation to approach the homeowner to see if they can get a waiver first. Therefore the residents are made aware of it. If the homeowner does not agree they are not notified when a variance is requested. Mike Murphy stated the rules do not require any notification therefore the question is whether or not to change the rule.

Discussion followed regarding whether or not to make notification part of the rule.

INFORMATION ONLY

ITEMS FOR THE NEXT MEETING

Rozanne King asked if we would have the ACCO recommendations for the meeting.

Interim Directors Lyle Asell stated there were some issues that would take several sessions to work out so it would not be on the agenda for next month.

Darrell Hansen asked about the reclassification of the Clayton County stream.

Mike Valde stated it would probably be coming up next month.

NEXT MEETING DATES

September 18, 2000

October 16, 2000

November 20, 2000

ADJOURNMENT

<i>Motion was made Darrell Hanson to adjourn. Seconded by Rozanne King. Motion carried unanimously.</i>

With no further business to come before the Environmental Protection Commission, Chairman Townsend adjourned the meeting at 2:55 p.m., Monday, August 21, 2000.

Lyle W. Asell, Interim Director

Terrance Townsend, Chair

Rita Venner, Secretary

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